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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 00/00/201_

To: General Counsel

Attn: Steven N. Siegel
Deputy General Counsel, NSLB

[COUNTERTERRORISM/
COUNTERINTELLIGENCE/CYBER]

Attn: [UNIT]

[REQUESTING OFFICE]

Attn: SSA [SQUAD SUPERVISOR]
SA [CASE AGENT]

[OFFICE OF ORIGIN]

Attn: SA [CASE AGENT]
[SQUAD] [X]

[DELIVERING DIVISION]
(if using personal service)

Attn: SSA [SQUAD SUPERVISOR]
[SQUAD] [X]

From: [DRAFTING DIVISION]

[APPROVING OFFICIAL]

Contact: [CASE AGENT, telephone number (000) 000-0000]

Approved By: [ADIC NAME, IF APPLICABLE]
[SAC NAME]
[ASAC NAME]
[CDC NAME]
[SSA NAME]

Drafted By: [LAST, FIRST MIDDLE: INITIALS]

(U) Case ID #: ~~(S)~~ [CASE FILE NUMBER] (Pending)

(U) Title: ~~(S)~~ [SUBJECT]
[AKA] [ALIAS, IF APPLICABLE]
[IT/FCI - FOREIGN POWER]
[OO: OFFICE OF ORIGIN]

Synopsis: (U) (NSLFR) Approves the issuance of a Right to Financial Privacy Act (RFPA) National Security Letter (NSL) for financial records; provides reporting data; and transmits the NSL to the appropriate division for delivery to the financial institution.

~~(S)~~ Derived From: G-3
(U) Declassify On: ~~(10-25 years based on~~
information in the EC]

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ACLU-NSL-335

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(U) To: [CTD/CD] From: [DRAFTING DIVISION]
Re: ~~(S)~~ [CASE FILE NUMBER, 00/00/2008]

(U) ~~[FULL/PRELIMINARY]~~ Investigation Instituted: ~~(S)~~ 00/00/2008

(U) Reference: ~~(S)~~ [CASE FILE NUMBER SERIAL XXX]

Enclosure(s): (U) Enclosed for [DELIVERING DIVISION or OFFICE OF ORIGIN, depending on whether service is personal or through restricted delivery service] is an NSL dated [00/00/2008], addressed to [COMPANY POC NAME], [TITLE (if available)], [COMPANY NAME], [COMPANY ADDRESS - NO P.O. BOX], [CITY, STATE - NO ZIP CODE if using personal service], requesting financial records of the customer listed.

(U) Details: ~~(S)~~ Brief explanation of why the NSL is being created

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(U) ~~(S)~~ A [FULL/PRELIMINARY] [FOREIGN COUNTERINTELLIGENCE/ INTERNATIONAL TERRORISM] investigation of subject, a [U.S. PERSON/NON-U.S. PERSON], was authorized in accordance with the Attorney General Guidelines because [Give a full explanation of the justification for opening and maintaining the investigation on the subject; barebones facts will not suffice and will cause the request to be rejected for legal insufficiency]. These financial records are being requested to [Fully state the relevance of the requested records to the investigation].

(U) ~~(S)~~ This electronic communication documents the [APPROVING OFFICIAL's] approval and certification of the enclosed NSL. For mandatory reporting purposes, the enclosed NSL seeks financial records for [NUMBER OF] [individual(s)/account(s)] from [financial institution #1]; [NUMBER OF] [individual(s)/accounts] from [financial institution #2], etc. [In the case of multiple accounts to the same financial institution, if you know how many different persons attach to those accounts, please state. Provide the USP status of all the persons about whom the requests are seeking information, including the subject of the investigation. In other words, do your best to give as much information as you can, for congressional reporting purposes.]

(U) Arrangements should be made with the financial institution to provide the records [personally to an employee of the DELIVERING DIVISION OR through use of a delivery service or secure fax to OFFICE OF ORIGIN] within [NUMBER OF] business days of receipt of this request. The financial institution should neither send the records through routine mail service nor utilize the name of the subject of the request in any telephone calls to the FBI.

DISCLOSURE PROVISIONS

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To: [CTD/CD] From: [DRAFTING DIVISION]
(U) Re: ~~(S)~~ [CASE FILE NUMBER, 00/00/2008]

[Option 1 - Invoking Nondisclosure Requirement]

(U) In accordance with 12 U.S.C. § 3414(a)(5)(D), I, the senior official approving this EC, certify that a disclosure of the fact that the FBI has sought or obtained access to the information sought by this letter may endanger the national security of the United States, interfere with a criminal, counterterrorism, or counterintelligence investigation, interfere with diplomatic relations, or endanger the life or physical safety of a person.

(U) ~~(S)~~ Brief statement of the facts justifying my certification in this case:

[Option 2 - Declining to invoke the nondisclosure requirement]

(U) I, the senior official approving this EC, have determined that the facts of this case do not warrant activation of the nondisclosure requirements under the applicable National Security Letter statute.

[Include the next 2 paragraphs in all ECs.]

(U) Information received from a financial institution may be disseminated in accordance with the FBI's Domestic Investigations and Operations Guide (DIOG); and with respect to dissemination to an agency of the United States, only if such information is clearly relevant to the authorized responsibilities of such agency.

(U) Any questions regarding the above can be directed to [CASE AGENT, telephone number (000) 000-0000].

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To: [CTD/CD] From: [DRAFTING DIVISION]
(U) Re: ~~(S)~~ [CASE FILE NUMBER, 00/00/2008]

LEAD(s) :

Set Lead 1: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) NSLB is requested to record the appropriate information needed to fulfill the Congressional reporting requirements for NSLs.

Set Lead 2: (Info)

[COUNTERTERRORISM/COUNTERINTELLIGENCE/CYBER]

AT WASHINGTON, DC

(U) At [Unit] Read and Clear

Set Lead 3: (Action)

[DELIVERING DIVISION - if using personal service]

[AT CITY, STATE]

(U) Deliver the attached NSL as indicated above. Upon receipt of information from the financial institution, [DELIVERING DIVISION] is requested to submit results to [DRAFTING DIVISION] and [OFFICE OF ORIGIN, if applicable].

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U.S. Department of Justice

Federal Bureau of Investigation

Washington, D. C. 20535-0001

[DRAFTING DIVISION]

[STREET ADDRESS]

[CITY, STATE, ZIP CODE]

[MONTH DAY, YEAR]

[MR./MRS/MS.] [COMPLETE POC NAME]
[TITLE, IF AVAILABLE]
[COMPANY NAME]
[PHYSICAL STREET ADDRESS - NO P.O. BOX]
[CITY, STATE - NO ZIP CODE]

DEAR [MR./MRS./MS.] [LAST NAME]:

Under the authority of Executive Order 12333, dated December 4, 1981, and pursuant to Title 12, United States Code (U.S.C.), Section 3414(a)(5), you are hereby directed to produce to the Federal Bureau of Investigation (FBI) all financial records pertaining to the customer(s) and/or accounts listed below:

NAME(S) [if available]

ACCOUNT NUMBER(s): [if available]

SOCIAL SECURITY NUMBER(S): [if available]

DATE(S) OF BIRTH: [if available]

[FOR PERIOD FROM INCEPTION TO PRESENT]

or

[FOR PERIOD FROM [SPECIFIC DATE] TO [SPECIFIC DATE]

or [PRESENT]]

Please see the attachment following this letter for the types of information that your financial institution might consider to be a financial record.

If the time period noted above is to the "present," that term is intended to direct production of information to the date of the processing of this letter. If providing information to the date of processing is not feasible, please provide information to the date of receipt of this letter.

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[MR./MRS./MS./ COMPLETE NAME]

In accordance with Title 12, U.S.C. Section 3414(a)(5)(A), I certify that these records are sought for foreign counterintelligence investigation purposes to protect against international terrorism or clandestine intelligence activities, and that such an investigation of a United States person is not conducted solely on the basis of activities protected by the First Amendment to the Constitution of the United States.

In accordance with Title 12, U.S.C., Section 3403(b), I certify that the FBI has complied with all applicable provisions of the Right to Financial Privacy Act.

[Certification: The nondisclosure requirement is not an automatic feature of the NSL. If the supporting EC for this NSL included Option 1 (Invoking the Nondisclosure Requirement) then include the language in the following 3 paragraphs in the NSL.]

In accordance with 12 U.S.C. § 3414(a)(5)(D), I certify that a disclosure of the fact that the FBI has sought or obtained access to the information sought by this letter may endanger the national security of the United States, interfere with a criminal, counterterrorism, or counterintelligence investigation, interfere with diplomatic relations, or endanger the life or physical safety of a person. Accordingly, 12 U.S.C. § 3414(a)(5)(D) prohibits you, or any officer, employee, or agent of yours, from disclosing this letter, other than to those to whom disclosure is necessary to comply with the letter or to an attorney to obtain legal advice or legal assistance with respect to this letter.

In accordance with 12 U.S.C. § 3414(a)(5)(D)(iii), you are directed to notify any persons to whom you have disclosed this letter that they are also subject to the nondisclosure requirement and are therefore also prohibited from disclosing the letter to anyone else.

In accordance with 12 U.S.C. § 3414(a)(5)(D)(iv), if the FBI asks for the information, you should identify any person to whom such disclosure has been made or to whom such disclosure will be made. In no instance will you be required to identify any attorney to whom disclosure was made or will be made in order to obtain legal advice or legal assistance with respect to this letter.

[Include the following language in all NSLs:]

[MR./MRS./MS./ COMPLETE NAME]

In accordance with 18 U.S.C. § 3511(a) and (b)(1), you have a right to challenge this letter if compliance would be unreasonable, oppressive, or otherwise unlawful.

You also have the right to challenge the nondisclosure requirement set forth above. If you wish to make a disclosure that is prohibited by the nondisclosure requirement, you must notify the FBI, in writing, of your desire to do so within 10 calendar days of receipt of this letter. That notice must be mailed or faxed to [the XXXX] Division, attention: CASE AGENT (phone number: xxxx), with a copy to FBI HQ, attention: General Counsel (fax number: 202-324-5366) and must reference the date of the NSL and the identification number on the upper left corner of the NSL. If you send notice within 10 calendar days, the FBI will initiate judicial proceedings in approximately 30 days in order to demonstrate to a federal judge the need for nondisclosure and to obtain a judicial order requiring continued nondisclosure. The nondisclosure requirement will remain in effect unless and until there is a final court order holding that disclosure is permitted.

If you do not send notice of your desire to disclose the NSL or the fact that you produced records in response to it within 10 calendar days of receipt, then the nondisclosure provision will remain in effect, subject to your opportunity to make an annual challenge to the nondisclosure requirement as provided by subsection 3511(b).

In accordance with 18 U.S.C. § 3511(c), an unlawful failure to comply with this letter, including any nondisclosure requirement, may result in the United States bringing an enforcement action.

The FBI does not intend to suggest, by the service of the NSL upon your financial institution, that a Suspicious Activity Report (SAR) should be filed with respect to this account nor that the account should be closed. Should you determine, however, that the filing of a SAR is required by banking laws or regulations, the non-disclosure provision set forth above prohibits the disclosure of the fact of this letter in the SAR. Further, should you decide to consider closing the account, the FBI requests that you please notify the below point of contact prior to taking such action, inasmuch as it is expected that information from this account, if it remains open, may provide valuable foreign intelligence.

You are directed to provide records responsive to this letter [personally to a representative of the [DELIVERING

DIVISION]_OR through use of a delivery service to the [OFFICE OF ORIGIN] OR through secure fax] within [xxxx] business days of receipt of this letter.

Any questions you have regarding this letter should be directed only to the [[DELIVERING DIVISION] OR [OFFICE OF ORIGIN],_depending on whether service is personal or through a delivery service or fax]. Due to security considerations, you should neither send the records through routine mail service nor disclose the substance of this letter in any telephone conversation.

Your cooperation in this matter is greatly appreciated.

Sincerely,

[ADIC/SAC NAME]
[ASSISTANT DIRECTOR IN
CHARGE/
SPECIAL AGENT IN CHARGE]

ATTACHMENT

In preparing your response to this National Security Letter, you should determine whether your company maintains the following types of information which may be considered by you to be a financial record in accordance Title 12, United States Code, Section 3401(2) ("original of, copy of, or information known to be derived from, any record held by a financial institution pertaining to a customer's relationship with the financial institution"):

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**FEDERAL BUREAU OF INVESTIGATION
FOIA/PA DELETED PAGE INFORMATION SHEET**

 2 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

 X Deletions were made pursuant to the exemptions indicated below with no segregable material available for release to you.

Section 552

Section 552a

☐ (b)(1)
☐ (b)(2)
☐ (b)(3) _____

☐ (b)(4)
☐ (b)(5)
☐ (b)(6)

☐ (b)(7)(A)
☐ (b)(7)(B)
☐ (b)(7)(C)
☐ (b)(7)(D)
☒ (b)(7)(E)-1
☐ (b)(7)(F)
☐ (b)(8)
☐ (b)(9)

☐ (d)(5)
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☐ (k)(7)

_____ Page(s) was/were not considered for release as it (is) /they (are) (a) duplicate(s) of (an) other released page(s).

_____ Page(s) withheld for the following reason(s):

_____ ☒ The following number(s) is (are) to be used for reference regarding these pages:

ACLU-NSL-343 and ACLU-NSL-344

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X  Deleted Page(s)  X
X No Duplication Fee X
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